

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

VERNON COLEMAN,

Plaintiff,

v.

Case No. 19-12627

Honorable Nancy G. Edmunds

WAYNE METRO AIRPORT PD,

Defendant.

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**ORDER TRANSFERRING PLAINTIFF'S APPLICATION  
TO PROCEED IN FORMA PAUPERIS ON APPEAL [13] TO THE  
UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT**

On September 6, 2019, Plaintiff Vernon Coleman filed his pro se complaint in this Court along with a "pauper affidavit," requesting to proceed in forma pauperis. (See dkt. 2.) On October 2, 2019, the Court issued an order noting it did not have before it the information needed to determine whether Plaintiff could pay the court costs without undue hardship and directing Plaintiff to file a completed application to proceed without prepayment of fees and costs (AO 240 form). (See dkt. 7.) Plaintiff did not file the completed form as directed. Thus, the Court issued an order denying Plaintiff's application to proceed in forma pauperis and directing him to pay the filing fee. (Dkt. 8) Rather than pay the filing fee, Plaintiff filed a notice of appeal with the United States Court of Appeals for the Sixth Circuit.<sup>1</sup> (Dkt. 9.) The matter is now before the Court on Plaintiff's application to proceed in forma pauperis on appeal. (Dkt. 13.)

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<sup>1</sup> The Court notes that Plaintiff was recently enjoined from filing any new lawsuits in this district relating in any way to his July 2018 arrest at the Detroit Metropolitan Airport, which serves as the basis for the complaint in this case, without first seeking

A notice of appeal generally “confers jurisdiction on the court of appeals and divests the district court of control over those aspects of the case involved in the appeal.” *Marrese v. Am. Acad. of Orthopaedic Surgeons*, 470 U.S. 373, 379 (1985) (citation omitted); *see also Workman v. Tate*, 958 F.2d 164, 167 (6th Cir. 1992).

Because jurisdiction of this action was transferred from this Court to the Sixth Circuit Court of Appeals upon the filing of the notice of appeal, Plaintiff’s motion to proceed in forma pauperis on appeal would be more appropriately addressed to the Sixth Circuit. *See Heard v. Snyder*, No. 16-14367, 2018 U.S. Dist. LEXIS 101296, at \*2 (E.D. Mich. June 18, 2018).

THEREFORE, IT IS HEREBY ORDERED that the Clerk of Court transfer Plaintiff’s motion for leave to appeal in forma pauperis to the United States Court of Appeals for the Sixth Circuit.

SO ORDERED.

s/Nancy G. Edmunds  
Nancy G. Edmunds  
United States District Judge

Dated: December 19, 2019

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and obtaining leave of court. *See Coleman v. Detroit Metro. Airport*, No. 19-11552, 2019 U.S. Dist. LEXIS 194564, at \*1-2 (E.D. Mich. Nov. 8, 2019). Judge Victoria Roberts found this injunction appropriate due to Plaintiff’s “repetitive or vexatious litigation,” which includes at least nine suits stemming from that same arrest. *See id.* at \*1. Both prior to and after the issuing of this order, Plaintiff filed a suit against Judge Roberts herself, alleging in part that she is biased against him. *See Coleman v. Roberts*, No. 19-13448, 2019 U.S. Dist. LEXIS 209429 (E.D. Mich. Dec. 5, 2019); *Coleman v. Roberts*, No. 19-12324, 2019 U.S. Dist. LEXIS 180230 (E.D. Mich. Oct. 18, 2019). Both complaints have been summarily dismissed, but may explain why Plaintiff did not identify any of his other lawsuits as companion cases to this suit despite his obligation to do so pursuant to Eastern District of Michigan Local Rule 83.11(b)(7)(C) and his compliance with this requirement in the past. *See, e.g., E.D. Mich. No. 19-11197*, dkt. 1, PgID 13. Plaintiff also filed the appropriate paperwork to support his request for in forma pauperis status in his other lawsuits, which he inexplicably did not do here.

I hereby certify that a copy of the foregoing document was served upon counsel of record on December 19, 2019, by electronic and/or ordinary mail.

s/Lisa Bartlett  
Case Manager